United Nations A/72/608–S/2017/975

General Assembly
Security Council

Distr.: General
21 November 2017

Original: English

General Assembly
Seventy-second session
Agenda item 113 (c)
Elections to fill vacancies in principal organs: election of five members of the International Court of Justice

Security Council
Seventy-second year

Identical letters dated 20 November 2017 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to write to you with regard to the elections taking place in the General Assembly and the Security Council to fill the fifth vacancy for the position of judge of the International Court of Justice.

As you are aware, following seven meetings of the General Assembly and the Security Council, on 9 and 13 November, at which several rounds of voting took place, the position remains unfilled. Judge Christopher Greenwood obtained the required absolute majority of votes in the Council, while Judge Dalveer Bhandari obtained the required absolute majority of votes in the Assembly.

The current deadlock is unlikely to be broken by further rounds of voting. We have therefore consulted our candidate, Sir Christopher Greenwood, who has confirmed that his candidature for re-election to the International Court of Justice should be withdrawn.

In taking this step, we have borne in mind the close relationship that the United Kingdom and India have always enjoyed, and will continue to enjoy, and the fact that both candidates fulfil the requirements for the position and have already served the Court diligently, with impartiality and independence.

The United Kingdom thanks Christopher Greenwood for his service and pays tribute to his outstanding contribution to the working of the Court and to the development of international law.

As you are also aware, the Statute of the International Court of Justice provides, in its Article 12, that if one or more seats remain unfilled after the third meeting, a joint conference may be formed at the request of either the General Assembly or the Security Council for the purpose of choosing one name for each seat still vacant to submit to the Assembly and the Council for their respective acceptance.

17-20713 (E) 221117

Please recycle

This mechanism has not been used in relation to an election for the International Court of Justice. However, the fact that it has not been used does not mean that it should not be used when the need arises. It is the view of the United Kingdom that this election would have been an ideal opportunity to use the mechanism envisaged by the Court's own Statute to break the current deadlock. It is also the view of the United Kingdom, as it is of other delegations, that some thought needs to be given to this procedure before the next International Court of Justice election in order that it might be used when it is clearly needed.

The Government of the United Kingdom expresses its gratitude to the countries that supported the candidature of Christopher Greenwood, both in the General Assembly and in the Security Council, during these elections.

(*Signed*) Matthew **Rycroft**